

PTO/SB/30 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031RCE  
1712

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See the American Inventors Protection Act of 1999 (AIPA).

|                        |                |
|------------------------|----------------|
| Application Number     | 09/805,316     |
| Filing Date            | March 13, 2001 |
| First Named Inventor   | Ban D. Green   |
| Group Art Unit         | 1712           |
| Examiner Name          | Philip Tucker  |
| Attorney Docket Number | 0219KR.043693  |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0259 (0219KR.043693)
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 370.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                                 |                                   |                 |
|-------------------|---------------------------------|-----------------------------------|-----------------|
| Name (Print/Type) | Constance Gall Rhebergen        | Registration No. (Attorney/Agent) | Reg. No. 41,267 |
| Signature         | <i>Constance Gall Rhebergen</i> | Date                              | Dec. 20, 2002   |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

|                   |                                 |      |               |
|-------------------|---------------------------------|------|---------------|
| Name (Print/Type) | Constance Gall Rhebergen        | Date | Dec. 20, 2002 |
| Signature         | <i>Constance Gall Rhebergen</i> | Date | Dec. 20, 2002 |

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Docket No. 0219KR.043693

In Re Application of:

**BAN D. GREEN**

Serial No.: **09/805,316**

Filed: **03/13/2001**

For: **METHOD FOR CREATING DENSE  
DRILLING FLUID ADDITIVE AND  
COMPOSITION THEREFOR**

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EXAMINER: **Tucker, Philip**

ART UNIT: **1712**

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**TC 1700**

**PRELIMINARY AMENDMENT FOLLOWING RCE**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

|   |                         |
|---|-------------------------|
| CERTIFICATE OF MAILING  |                         |
| 37 C.F.R. § 1.8   |                         |
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231, on the date below. |                         |
| <u>Dec. 20, 2002</u>  | <u>Patricia Herrera</u> |
| Date  | Signature               |

This paper is filed in conjunction with the Request for Continued Examination in view of the Advisory Opinion mailed October 20, 2002. These amendments are preliminary in that no office action has been received in this matter following the filing of the RCE. Consideration of the claims, as amended, is respectfully requested.

In addition to the claim amendments shown below, a clean-copy of all the claims is included for the convenience of the Examiner. The claim amendments are based upon the claims as of 4/11/02 in that the amendments in response to the Final Office Action filed 8/27/02 were not entered according to Examiner's Paper Number 9 mailed 9/11/2002.